House File 119 - Introduced

HOUSE FILE 119
BY HUNTER, OLSON, STAED, and
MASCHER

A BILL FOR

- 1 An Act relating to the imposition of civil liability on parents
- 2 or guardians when minors cause injury with firearms.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. <u>NEW SECTION</u>. **613.16A** Civil liability for parents 2 or guardians when a minor causes injury with a firearm.
- 3 l. For the purpose of this section, "minor" means an 4 unemancipated child under the age of eighteen years.
- 2. If a parent or guardian who has custody and control of a 6 minor either permits the minor to possess a firearm or leaves 7 the firearm in a place accessible to the minor, and the minor 8 discharges the firearm, civil liability shall be imputed to
- 9 the parent or guardian for purposes of civil damages for any
- 10 injury to a person or property of a person other than the minor
- 11 proximately caused by the discharge and the parent or guardian
- 12 shall be jointly and severally liable with the minor for any 13 damages resulting from the act.
- 14 3. The liability imposed by this section is in addition
- 15 to the liability imposed by section 613.16 and any liability
- 16 otherwise imposed by law. However, no person, or group of
- 17 persons collectively, shall incur liability under this section
- 18 in any amount exceeding thirty thousand dollars for injury to
- 19 or death of one person as a result of any one occurrence or,
- 20 subject to the limit as to one person, exceeding sixty thousand
- 21 dollars for injury to or death for all persons as a result of
- 22 any one such occurrence.
- 23 EXPLANATION
- 24 The inclusion of this explanation does not constitute agreement with 25 the explanation's substance by the members of the general assembly.
- 26 This bill relates to civil liability of parents or guardians 27 when a minor causes injury with a firearm.
- 28 The bill provides that if a parent or guardian either permits
- 29 a minor to have a firearm or leaves the firearm in a place
- 30 accessible to the minor, and the minor discharges the firearm,
- 31 civil liability shall be imputed to a parent or guardian having
- 32 custody and control of the minor for purposes of civil damages
- 33 for any injury to the person or property of a person other than
- 34 the minor proximately caused by the discharge, and the parent
- 35 or guardian shall be jointly and severally liable with the

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1 minor for any damages resulting from the act.

The bill provides that the liability imposed by the Code section is in addition to any liability otherwise imposed by law. However, the bill provides that no person, or group of persons collectively, shall incur liability under the Code section in any amount exceeding \$30,000 for injury to or death of one person as a result of any one occurrence or, subject to the limit as to one person, exceeding \$60,000 for injury to or death for all persons as a result of any one such occurrence.